

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RAPHEL BERRIEN, III,

Plaintiff

v.

DUSTIN BALDWIN,

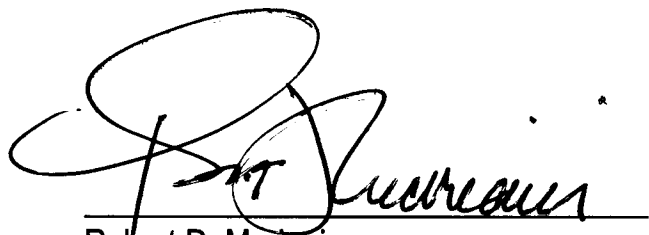
Defendant

3:19-CV-814  
(JUDGE MARIANI)

ORDER

AND NOW, THIS 12<sup>th</sup> DAY OF SEPTEMBER, 2019, upon review of Chief Magistrate Judge Schwab's Report and Recommendation ("R&R") (Doc. 13) for clear error or manifest injustice, **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 13) is **ADOPTED** for the reasons stated therein.
2. Plaintiff's action is **DISMISSED**.<sup>1</sup>
3. The Clerk of Court is directed to **CLOSE** this action.



Robert D. Mariani  
United States District Judge

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<sup>1</sup> By letter dated August 6, 2019, Plaintiff informed the Court that he "realized that the jurisdiction resides down in Tennessee, so [he] sent [his] 'amended complaint' to" the U.S. District Court of Tennessee. (Doc. 12). Plaintiff thus appears to have abandoned his action in the Middle District of Pennsylvania and is pursuing this action in federal court in Tennessee.